

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

DANNY J. HICKS,

Plaintiff

VS.

NO. 5: 03-CV-307 (DF)

RALPH BATTLE, *et al.*,

Defendants

PROCEEDINGS UNDER 42 U.S.C. §1983  
BEFORE THE U. S. MAGISTRATE JUDGE

**RECOMMENDATION**

Plaintiff DANNY J. HICKS has once again filed a motion seeking injunctive relief. Tab #84. The relief he seeks in this motion is against prison officials at Men's State Prison where he is currently confined. However, plaintiff's complaint is against prison officials at *Bostick* State Prison where he was confined when he filed this lawsuit. This court has no authority to grant such relief against those who are not a part of this lawsuit (i.e., those who are not before the court in this particular lawsuit) and/or who work at an institution which is not a party of this lawsuit. The court has previously advised plaintiff that he must pursue new claims against new defendants in a new lawsuit. He is still free to do so.

Accordingly, IT IS RECOMMENDED that plaintiff's motion (Tab #84) be DENIED. Pursuant to 28 U.S.C. §636(b)(1), the parties may serve and file written objections to this RECOMMENDATION with the district judge to whom this case is assigned, **WITHIN TEN (10) DAYS** after being served with a copy thereof.

SO RECOMMENDED, this 13<sup>th</sup> day of OCTOBER, 2005.



A handwritten signature in blue ink that reads "Claude W. Hicks, Jr." The signature is fluid and cursive.

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE